

REMARKS

Claims 1, 7-8, and 10 are amended, new claims 18-22 are added, and claim 6 is canceled, without prejudice or disclaimer. Claims 1-5 and 7-22 are pending.

The amendments to the claims and the added new claims 18-22 are based on the application as originally filed. For example, claim 18 recites the subject matter of original claim 7, claim 19 recited the subject matter of original claim 16, and claims 20-22 recite the subject matter of original claims 8-10, except that new claims 18-22 do not include reference numerals. Therefore, it is respectfully submitted that no new matter has been added.

In the office action, it is stated that claims 7-10 and 16 are objected to but allowable if rewritten. New claims 18-22 recite the allowable subject matter of original claims 7-10 and 16, but new claims 18-22 are not identical to the original claims 7-10 and 16 as new claims 18-22 lack reference numerals. Therefore, new claims 18-22 are in condition for allowance.

In the office action, claims 1-6, 11-15, and 17 were rejected under 35 U.S.C. § 103(a) in view of European Application Number EP 0828165 A2 to Greller et al. and U.S. Patent Number 7,125,145 to Gardiner et al. or U.S. Patent Number 6,928,029 to Rickman.

Independent claim 1 is amended to recite the subject matter of canceled claim 6 as well as to recite a control device (13) constructed as at least one contactless sensor previously recited in amended claim 7.

It is respectfully submitted the amended claim 1 is patentable over the cited art, since each of Greller, Gardiner, and Rickman lacks a contactless sensor, and one having ordinary skill in the art would not look to the cited art for a contactless sensor as in amended claim 1.

Claims 2-5, 11-15, and 17 depend from amended claim 1, and so include the recitation of amended claim 1. For the reasons set forth above, claims 2-5, 11-15, and 17 are also patentable over the cited art.

Therefore, claims 1-5, 11-15, and 17 are patentable over the cited, so reconsideration and withdrawal of the final rejection of claims 1-5, 11-15, and 17, and entry and favorable consideration of new claims 18-22 are respectfully requested.

Accordingly, entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



Anthony J. Natoli
Registration number 36,223
Attorney for applicants

Date: November 20, 2007

ABELMAN, FRAYNE & SCHWAB
666 Third Ave., 10th Floor
New York, NY 10017-5621
Tele: (212) 949-9022
Fax: (212) 949-9190